

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DANNY PRATT, individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	
)	
EVERALBUM, INC., a Delaware)	
corporation)	
)	
Defendant.)	

DECLARATION OF JONATHAN MUMM

I, JONATHAN MUMM, declare and state as follows:

1. I am Director of Engineering at Everalbum, Inc. (“Ever”). I am over eighteen years of age and am competent to make this declaration. I have personal knowledge of the facts stated herein as a result of my employment with Ever. I affirm that the facts stated herein are true and correct.

2. Ever is a smartphone application company incorporated in Delaware with its principal and sole place of business in San Francisco, California. I have been employed by Ever since March 2013.

3. Ever operates a smartphone application (the “App”), which runs on iPhones and Androids and allows users to save storage space on their phones by automatically saving, backing up and organizing their photos and videos across all sources (*e.g.*, Facebook, Instagram, Dropbox and Google) to the cloud so that users can access them anytime, anywhere in the world.

The App also allows users to edit photos and create and share their photo albums with their friends and family members who have downloaded the App.

4. The App provides users with free, unlimited high resolution storage. Users are also given the option of purchasing unlimited, enhanced full resolution storage and HD video storage. Alternatively, users can earn unlimited gigabytes (“GB”) of enhanced storage for free when they invite all their contacts to join them on the App and view their shared photo albums.

5. According to Ever’s business records, on October 18, 2016, Ever user, Danny Pratt, downloaded the App and sent 99 text message invitations to his contacts. In exchange for inviting all his contacts to join the App, Mr. Pratt was given access to unlimited GB of enhanced storage for free.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at San Francisco, California on March 1, 2017.



JONATHAN MUMM